

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 16-20, 1998

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-17	EX	74/651,845	Valley Dental, Inc.	Cissel* Seeherman Hanak	whether, as evidenced by the specimens of record, the matter sought to be registered is being used as a service mark for the services recited in the application; whether a more definite recitation of services is required	Refusal Reversed		"TOOTH TOTS CLUB" [promoting dental health to children]		Salemi	No
2-19	EX	74/254,945	Controls Corp. of America	Rice Simms* Cissel	de jure functionality (of a product configuration)	Refusal Affirmed		configuration of applicant's goods [a seat and filter assembly for gas regulators]		Leslie	Yes
2-20	EX	74/677,107	WoodenBoat Publications, Inc.	Seeherman Hohein* Hairston	2(d)	Refusal Affirmed		"HOPE MAGAZINE" (and design) [magazines of inspirational stories and information]	"HOPE MAGAZINE" [magazines dealing with homelessness]	Thompson	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
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2-20	EX	74/586,109	La Salsa Holding Co.	Seeherman* Hairston Walters	whether the matter sought to be registered is capable of registration on the Supplemental Register	Refusal Affirmed, in the absence of disclaimer of the words "MEXI-CAN GRILL" [matter found capable of registration on the Supp. Reg. upon submission of required disclaimer]		"FRESH MEXICAN GRILL" [restaurant services]		R. Clark	No

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